

minute and to revise and extend his remarks.)

Mr. BURNS. Mr. Speaker, I rise today to pay tribute to a true patriot. Yesterday America lost a man who will always be remembered as a hero. General Ray Davis lived a life of service and devotion to his country. Graduating from Georgia Tech as a naval officer candidate, General Davis served in World War II, Korea and Vietnam before retiring as a four-star general in 1972.

General Davis earned the Congressional Medal of Honor for his leadership in the Korean War, in which he led a daring battle against an enemy which vastly outnumbered his Marines. General Davis and his men rescued two regiments that had been trapped for 5 days and then fought their way across 14 miles of enemy territory over 3 days to return to safety.

His heroism earned him medals, but it is his devotion to his country, the military, and his fellow veterans that we will remember most. General Davis was instrumental in the establishment of the Korean War Memorial and stayed involved in issues important to veterans and current military personnel.

On behalf of all Georgians in the Twelfth District, I offer my deepest sympathy to General Davis' family. He was indeed a true American hero.

REAUTHORIZING TEA-21

(Mrs. MUSGRAVE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MUSGRAVE. Mr. Speaker, I rise today to address one of the most important issues we will debate during the 108th Congress, the reauthorization of TEA-21.

TEA-21 funding ends on September 30, 2003, less than 30 days from now. So far, this Congress has failed to even introduce a reauthorization bill. As our highways, bridges, and city streets fall apart, this House has failed to act, and time is running out.

Tragically, instead of seeking out creative transportation reforms, it seems that many in this body have decided that raising taxes and indexing them to inflation is the best way to be good stewards of taxpayers' money. This idea is not only counter to our Republican ideals, but it also is irresponsible, regressive, and counter-productive to our efforts to pass meaningful tax cuts earlier this year.

When Coloradans sent me to Congress, they did so knowing that I am a fiscal conservative who wants to make government smaller, not bigger. I will not stand idly by while their taxes are being raised. What Member of this body ran on a promise to increase taxes by almost 50 percent? Not one of us. The majority of my colleagues ran on promises of smaller government and lower taxes.

It is time to see a TEA-21 reauthorization bill with meaningful reforms.

PROVIDING FOR CONSIDERATION OF H.R. 2989, TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 351 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 351

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2989) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived except as follows: page 9, line 10, through line 15; page 12, line 1, through page 13, line 2; page 14, line 16, through page 15, line 2; page 17, line 6, through line 11; page 18, line 3, through page 24, line 12; "limited or" on page 26, line 9; page 27, line 14, through page 28, line 7; beginning with "Provided" on page 28, line 19, through page 29, line 3; "Notwithstanding any other provision of law" on page 31, line 5; page 31, line 14, through line 21; page 31, line 24, through page 32, line 17; "Notwithstanding any other provision of law" on page 34, line 24; beginning with "provided further" on page 36, line 17, through page 37, line 5; beginning with "provided further" on page 45, line 16, through line 23; "Notwithstanding any other provision of law" on page 46, line 25; page 50, line 19, through "project" on page 51, line 4; beginning with "Notwithstanding" on page 51, line 12, through "amended" on line 13; page 53, line 3, through page 54, line 12; "Notwithstanding any other provision of law" on page 54, lines 13 and 14; page 72, line 22, through page 76; page 122, line 4, through line 9; "Notwithstanding any other provision of law" on page 126, lines 15 and 16; beginning with "and the prohibition" on page 126, line 20, through "2512(a)(1)" on line 23. Where points of order are waived against part of a paragraph or section, points of order against a provision in another part of such paragraph or section may be made only against such provision and not against the entire paragraph or section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from New

York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 351 is an open rule that provides for consideration of H.R. 2989, the Department of Transportation, Treasury, and related agencies appropriations for fiscal year ending September 30, 2004. The rule waives all points of order against consideration of the bill.

The rule also provides for one hour of general debate, to be equally divided between the chairman and ranking minority member of the Committee on Appropriations. The rule provides that bill shall be considered for amendment by paragraph. In addition, the rule waives clause 2 of rule XXI prohibiting unauthorized or legislative provisions in an appropriations bill against provisions in the bill, except as otherwise specified in the rule. Further, the rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, this is the first year that the Congress is considering appropriations for the Department of Transportation and the Department of Treasury along with Postal Service, the Executive Office of the President and general government provisions in a single appropriations bill. This change was necessary to make room for creation of a subcommittee for the new Department of Homeland Security. The Committee on Appropriations has worked diligently to combine these agencies and produce legislation that meets the Nation's priorities in a multitude of areas.

The bill provides \$89.3 billion in total budgetary resources, which is an increase of \$2.7 billion above the current level. This funding represents the firm commitment of this Congress to fund necessary programs and projects across the Nation.

Total transportation funding in this bill is over \$58 billion. This funding, which is so important in my district and others throughout the entire country, is significantly increased over current year spending. From highways and transit programs to airports and Federal Aviation Administration, the underlying legislation meets the needs of our communities in previous years.

Some transportation programs have had guaranteed funding in authorization acts. Even though such guarantees no longer apply to this bill, the committee has provided at least a level of funding which was guaranteed last year; in the case of highways and airports, even more. The absence of these

guarantees means new choices in the allocation of funds by providing the flexibility of fund programs that were not protected under the previous guarantees but were equally important.

The underlying legislation also gives significant increases to the Treasury Department, bringing their appropriation to over \$11 billion. Of those funds, \$2.7 million is available for stronger agency involvement in international affairs, including technical advisers for rebuilding the currency, banking and financial systems in Iraq; \$29.3 million is allocated for the new Office of Terrorist Financing and Financial Crimes, and \$5.3 million for IRS counterterrorism activities. Additionally, funds are provided for the Office of Foreign Assets Control and Financial Crimes Enforcement Network to help fight money laundering and track down terrorist financing.

All of these are important elements of the war on terrorism, and they are funded at or above the administration's request, demonstrating our pledge to keep America safe from terrorists and showing that national security remains a top priority.

Many other agencies and programs that I have not outlined today are also funded under this bill.

Mr. Speaker, I would like to commend the chairman and ranking member of both the appropriations full committee and subcommittee for their hard work on this difficult measure.

Mr. Speaker, I urge my colleagues to support this rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my good friend, the gentleman from New York, for yielding me the customary 30 minutes.

Mr. Speaker, let me begin by commending the members of the Subcommittee on Transportation, Treasury and Independent Agencies for their hard work on this difficult bill. This subcommittee faced many challenges, and with the help of the gentleman from Florida (Chairman YOUNG) and the ranking member, the gentleman from Wisconsin (Mr. OBEY), they produced a bill for this House to consider today.

I especially want to thank and recognize my friend and colleague, the gentleman from Massachusetts (Mr. OLVER), the ranking member of the subcommittee, for his leadership and his guidance in crafting this bill.

□ 1030

While our colleagues deserve praise for their work to improve this bill, it still has serious problems. I am concerned about the removal of the mandatory setaside for transportation enhancements. Funding for Amtrak is half of what is needed to properly maintain and run this system. This bill will make it harder, not easier, for low-income families to receive the earned

income tax credit. And despite pledges made to protect the corporate expatriate language adopted by the full committee, this rule allows this important provision to be removed from the bill without a vote by the House.

Beginning with ISTEA in 1991 and continuing with TEA-21 in 1998, we required that the communities receive the maximum benefit from transportation investments. It is precisely because of mandated 10 percent setaside of surface transportation program funds that the enhancement program has successfully leveraged State matching contributions totalling almost \$8.4 billion for 15,000 projects spanning every part of this country. These funds have been used for such worthwhile activities as the development of scenic bikeway and pedestrian facilities, the preservation of abandoned railway corridors, and the protection of historically significant transportation assets.

Mr. Speaker, in my home State of Massachusetts, more than \$75 million has been invested in a total of 228 community projects since 1992. Sixty percent of that funding has been invested in devising a network of bikeway and pedestrian trails which is rapidly becoming an important part of our infrastructure. But section 114 of this bill would eliminate the mandatory 10 percent setaside for transportation enhancements that has made the program so widely popular and tremendously successful. Furthermore, it undermines the national transportation policy we reaffirmed in TEA-21 in order to allow States to divert funding from small scale, locally selected projects to massive transportation initiatives that do not have the same broad community support.

Mr. Speaker, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Massachusetts (Mr. OLVER) will offer an amendment to strike this section from the bill, preserving the good policy set by ISTEA and TEA-21. I strongly urge my colleagues to join me in supporting this important amendment.

This bill, Mr. Speaker, also badly underfunds our national passenger rail system. Amtrak's management has recently begun to stabilize its finances, improve service, and increase ridership. Their reward for that progress in this bill is to be given one-half, or \$900 million, of the \$1.8 billion Amtrak needs to simply maintain existing operations. One-half.

Although I am pleased that more than 40 percent of the \$900 million provided to Amtrak under this bill is designated by capital expenses along the Northeast Corridor, we all need to take a more national approach to Amtrak's funding. The money provided for Amtrak in this bill is not only grossly insufficient; it is intended to bring Amtrak to the brink of failure. That is wrong.

Once again, the subcommittee has included a provision that gives the Sec-

retary of Transportation the authority to arrange for an alternate service provider for commuter rail service should Amtrak cease operations. Mr. Speaker, that is not foresight. It is foreshadowing of a disastrous transportation crisis for this country. By providing Amtrak half of the funding it needs, this appropriations bill makes such an event a self-fulfilling prophecy. Amtrak's management deserves the opportunity to continue the progress it has made, and it deserves the confidence and support of this institution.

More importantly, the American public deserves a first-rate national intercity rail system to complement our aviation and highway systems. I cannot believe we would walk away from the success of the transportation enhancement program or retreat from the recent progress we have made in setting Amtrak on the right course. This appropriations bill, unfortunately, takes us backwards instead of forwards.

Mr. Speaker, I cannot stress strongly enough that although this is technically an open rule, the opportunity to amend this bill is very limited. The most substantive amendments brought before the Committee on Rules last night required waivers, and as usual the Committee on Rules did not grant any of those waivers.

House rules severely restrict the amendment process on all appropriations bills. Therefore, even though the Committee on Rules granted an open rule, one that technically does not restrict the amendment process, by its nature the amendment process for appropriations bills is still limited. For example, this rule does not make in order a number of important amendments including one offered by the ranking member, the gentleman from Massachusetts (Mr. OLVER). That amendment would have provided an additional \$500 million above the \$900 million currently in the bill for Amtrak.

This would give Amtrak sufficient funding to ensure solvency and to begin to address the long-term capital needs that have been neglected for so long. The amendment offsets the additional Amtrak funding by reducing the tax cut that those earning \$1 million or more would receive in 2004 from \$88,000 to \$88,500 or by only \$2,500.

This rule does not protect language currently in H.R. 2989 that would prohibit the Treasury Department from contracting with expatriate corporations, those companies which operate here in the United States but set up shell corporations overseas for the expressed purpose of avoiding their taxes. Amendments to allow both of these worthwhile initiatives were defeated last night by the Committee on Rules Republicans, I am sad to say.

Finally, Mr. Speaker, let me comment on two amendments regarding U.S. policy towards Cuba. The gentleman from Arizona (Mr. FLAKE) and myself and several of our colleagues

from the Cuba Working Group will offer a bipartisan amendment to prohibit funds from being used to enforce restrictions on travel by Americans to Cuba. Another bipartisan amendment will be offered by the gentleman from Massachusetts (Mr. DELAHUNT) and the gentleman from Arizona (Mr. FLAKE) that will eliminate the cap on remittances to Americans from Cuban households.

Each year for the past 3 years these amendments to end the ban on travel have received overwhelming support by the Members of this House. Last year it was approved by a vote of 262 to 167. The amendment to lift the cap on remittances passed by a similar margin. The crackdown on dissidents carried out earlier this year by the Cuban Government demonstrated how completely ineffective U.S. policy over the past 40 years has been in protecting human rights in Cuba. Because of this, many major human rights groups, including Amnesty International and Human Rights Watch, have called on the United States Government to end the restrictions on Americans wanting to travel to Cuba. Most importantly, the amendment affirms the basic right of all Americans to travel freely.

Former Supreme Court Justice William Douglas said, "Freedom of movement is the very essence of our free society, setting us apart. It often makes all other rights meaningful."

Mr. Speaker, I urge my colleagues to support for the fourth year in a row the Flake-McGovern amendment on ending the travel ban on the right of Americans to travel to Cuba and support the Delahunt-Flake amendment lifting the cap on remittances to Cuban family members living on the island.

Mr. Speaker, I reserve the balance of my time.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is an open rule, and there will be ample debate throughout the day as we first have the debate on the appropriations bill and then the opportunity for Members to submit amendments for consideration throughout the day.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, we have just been told that this rule is an open rule. That is an absolutely meaningless statement. What the majority has done once again is to waive the rules of the House for the majority product, but then refuse to waive those same rules for amendments that the minority wishes to offer. In my view, that is a gutless way to legislate. It is an unfair way to legislate. It does discredit to this House and discredit to those who impose those kinds of rules.

And to suggest that this is an open rule, implying, somehow implying that

this is business as usual, if this is business as usual, I think the American public would hang their heads when they understand it.

I am against this bill. I am against the previous question on the rule. I am against the rule itself. This bill is inadequate in a large number of ways. It is a joke in terms of what it does to Amtrak. It does not provide sufficient funding to keep Amtrak funded. And whether some people like it or not, we need a national Amtrak system.

Secondly, it virtually guarantees that enhancement projects which were a key in moving forward the transportation authorization bill the last time it was on the floor have now been gutted. And that means that municipalities are not going to have the opportunity for many of the enhancements they have had in the past. I think that is a mistake.

You have a weird sense of priorities expressed in the EITC precertification provision in this bill. The majority says, "Oh, we ought to spend \$100 million on more IRS enforcement to go after the poorest taxpayers in this society who take advantage of the EITC", when you could use that same \$100 million and go after noncompliance by large corporations and bring many times more dollars into the Treasury than you ever will by the EITC provision.

This provision in this bill is not here to save the taxpayers money. It is here for ideological reasons. The Republican majority for years supported the earned income tax credit as an alternative to the minimum wage increase. And now that there is no "threat" from a Republican Congress on raising the minimum wage, now they go after the only tax provision in the law to help the poorest taxpayers who ought to get a minimum wage increase but do not get it.

We also have the issue of Cuba. I am very much in support of the effort that the gentleman from Massachusetts will make because in my view existing U.S. policy toward Cuba is stupid, capital letter stupid. It is mindless, capital letter mindless. It is ineffective. All it does is give that two-bit dictator Castro in Cuba an excuse to point to somebody else for his island's troubles. Now, I do not mind . . . well, I do mind because it is bad enough when we restrict the rights of individual American citizens to travel where they want to travel, if it is being done on behalf of a good policy; but I really do mind when it is being done on behalf of a stupid policy. This policy is out-moded. It has not worked. If it had worked, Castro would be long gone.

Again, what we have here is an ideologically driven policy. It is put together by people who think with their spleen instead of their head. It makes no sense whatsoever. The bill ought to be voted down. The rule ought to be voted down. The previous question ought to be voted down until this committee comes to its senses.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am certainly glad it is an open rule that is going to be considered by an amendment process that goes paragraph by paragraph as is outlined here. And I also know, while I do not sit on appropriations nor authorizing committees and just on the Committee on Rules, that this particular one prohibits unauthorized or legislative provisions in an appropriations bill against provisions in the bill unless as specified before us today; and that as usual we recognize those, the Chair or the speaker, according to the priority of recognition of Members who have preprinted their amendments in the CONGRESSIONAL RECORD to be heard. And it provides one motion to recommit with or without instructions.

Amtrak is going to be a debate that we will continue. As a New Yorker, I certainly watch that debate closely. But the Department of Transportation has testified that Amtrak needs reform more than it needs money. As a matter of fact, I believe that the witnesses, the Chair, and ranking member of the Subcommittee on Transportation, Treasury and Independent Agencies of the Committee on Appropriations indicated that they also believe that money alone was not going to solve Amtrak's problems. So my understanding is there is money there and there may well be amendments later today that ask for consideration of more or less.

When we look at the discussion of how much money and what categories of programs, I suppose if there was unlimited money for transportation, we could then unlimit the categories, whether you need roads or bridges or bike paths. This legislation, while I wish there was more transportation money for my district or my State or my region or the country as a whole, has provided flexibility for the States in order to make that tough decision. Do you need a bike path? Do you need a bridge repair? Do you need roads reconstructed or constructed due to growth? So some of that flexibility with the money we have gives States the ability to make those tough decisions.

I listened carefully on the earned income tax credits as our colleague, the ranking member of the Committee on Appropriations talked about it, but while my colleagues on the other side of the aisle argue that \$105 million in IRS for precertification of the EITC applicants should be stricken, I just want to make the record known that every other welfare program has a precertification, except the EITC.

□ 1045

EITC automatically sends checks, and only after they begin to look at the eligibility. So I am not sure how the system should work, and I will leave that to the administration, but it is not as if this is singled out.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. REYNOLDS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding to me.

I did not say that that provision should be stricken. What I said is that if you want to make money for the taxpayers, you can haul in a lot more money to the Treasury by using that same hundred million dollars to go after people with real bucks in their pockets, the large size corporations in this country. What you will collect on this, if you do indeed have scarce dollars, it seems to me you ought to put them where you get the biggest bang for a buck.

Mr. REYNOLDS. Mr. Speaker, I thank the gentleman for clarifying the record.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I want to respond to the gentleman from New York on the issue of Amtrak. The fact of the matter is that Amtrak's management has recently begun to stabilize its finances and improve its service and increase its ridership, and as I mentioned in my opening statement, their reward for their progress in this bill is to be given one-half of what they need to maintain existing operations.

If the gentleman does not want to support Amtrak, he does not want to give Amtrak the money that they need to support their existing operations, then that is his right and he can vote no on such an amendment; but the Committee on Rules last night specifically denied the right of my colleague from Massachusetts (Mr. OLVER) to offer his amendment which would have corrected this shortfall, and I think that is one of the concerns that we have about this rule.

Why this rule truly is not open is because a lot of meaningful amendments to address some very serious issues were denied last night by the Committee on Rules.

Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I urge a no vote on this rule. Mr. Speaker, I had an amendment which I had asked the Committee on Rules to allow but was not made in order under the rule. That amendment would have added \$500 million to the bill for Amtrak, bringing their total funding for fiscal year 2004 to \$1.4 billion, still \$400 million less than Amtrak has indicated that they need to begin to make a dent in the severe deferred maintenance and inadequate capital investments that have been plaguing them for years.

The amendment would have allowed them to begin to make an inroad in those deferred maintenance and capital investment deferrals that have plagued them, as I have indicated.

My amendment would have done this by reducing the average tax cut for those earning \$1 million or more of taxable income from an average of \$88,000 to an average of \$85,500 or about, on average, \$2,500 per person. This amendment should have been made in order if this Congress believes in a national passenger rail system. And I would just point out that for persons who are just reaching that threshold of what sounds like a very large number of \$1 million of taxable income, for persons just reaching that threshold, that would have required a reduction of less than \$1,000 in their tax cut.

The bill before us provides only \$900 million in fiscal 2004 for Amtrak and, if enacted, will strangle passenger rail service in the United States. No large private or public intercity passenger rail system in the world has been profitable or been able to survive without substantial public subsidy. When national governments no longer want to support intercity rail service, the rail service disappears. The lesson is clear. Passenger railways cannot operate without government support.

Over the last 5 years, Amtrak has received an average of \$1.1 billion per year, and this reduction in that level of funding has caused Amtrak to defer important capital improvements to the point of danger to the public safety of users.

Amtrak has a \$3.8 billion backlog on infrastructure, \$1.1 billion backlog for fleet, and \$9 million backlog for stations and facilities. Without an adequate capital budget we will be playing Russian roulette with the operability of Amtrak and the safety of its passengers.

We must continue to work to provide Amtrak the money it needs to run a safe and national railway system. So because my amendment to provide that necessary funding for the national rail passenger system has not been made in order, I am urging a no vote on the rule.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I rise today to urge my fellow Members to oppose the previous question.

Mr. Speaker, these are difficult times in our Nation. We are fighting terrorism on numerous fronts. Our economy is in serious trouble, unemployment is at record-high levels, and our future budget deficits are predicted to be the highest in the history of this great Nation.

Now is not the time for Members of Congress to be voting themselves a pay raise. We need to show the American people that we are willing to make sacrifices. We need to budget, live within our means and make careful spending decisions based on our most pressing priorities.

Mr. Speaker, let us send a signal to the American people that we recognize

their struggle in today's economy. Vote no on the previous question so we can have an opportunity to block the automatic cost-of-living adjustment to Members of Congress. Regardless of how Members feel about this issue, they should all be willing to make their position public and on the record.

A no vote will allow Members to vote up or down on the COLA. If the previous question is defeated, I will offer an amendment to the rule. My amendment will block the fiscal year 2004 automatic cost-of-living pay raise for Members of Congress. Because this amendment requires a waiver, the only way to get to this issue is to defeat the previous question.

Therefore, I urge Members to vote no on the previous question.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding time to me. I will be very brief and not take 2 minutes, but I want to bring to the attention, particularly of the Members on my side, I will be voting for the previous question. This is a procedure we have followed in the past. It is an honest, in-the-daylight procedure.

The gentleman from Utah (Mr. MATHESON) raises his point. He has raised it in the past. I would urge Members to vote for the previous question.

Then I think on our side we are very concerned about the rule itself, and many of us will not be supporting the rule, but I would urge my Members on this side to vote for the previous question.

Mr. REYNOLDS. Mr. Speaker, I have no additional speakers, but I reserve the balance of my time until my colleague is prepared to close.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I would just close by urging my colleagues to vote no on this rule. The majority says we have an open rule, but as my colleagues have heard in this debate this morning, a number of very important, substantive amendments have not been made in order.

The amendment that the gentleman from Massachusetts (Mr. OLVER) has offered that would address this shortfall in funding for Amtrak was not allowed by the Committee on Rules last night. This is our only opportunity to fix this very, very serious issue. The Amtrak funding in this bill is half of what is necessary to maintain existing services and operations, and it is simply inadequate.

In addition, this rule does not protect language in this bill that would prohibit the Treasury Department from contracting with expatriate corporations. Again, these are these companies which operate here in the United States but set up shell corporations overseas for the express purpose of avoiding their taxes. We are at war. We have a difficult economy. American citizens are being asked to sacrifice,

and yet we are going to protect companies that set up these P.O. boxes in places like Bermuda to avoid paying taxes and to allow them to continue to receive U.S. Government contracts. It is unconscionable that we would try to protect those corporations.

I would urge my colleagues to vote no on this rule.

Mr. Speaker, I yield back the balance of my time.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

I am sure the underlying bill before us today was an arduous undertaking. It represents funding for the Department of Transportation, Department of Treasury, including the IRS, the General Services Administration, the United States Postal Service, the Office of Management and Budget, the White House, Office of Personnel Management, among others. It is a brand new subcommittee that was put together by this House.

It is a fair and balanced bill that seeks to continue programs that are working and reform those that are not. By substantially increasing many areas of the bill and maintaining funding in others, this Congress has once again lived up to its commitment to our communities.

I urge a "yes" vote on the previous question and a "yes" vote on the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MATHESON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 240, nays 173, not voting 21, as follows:

[Roll No. 463]

YEAS—240

Abercrombie	Boehner	Clyburn
Ackerman	Bonilla	Cole
Aderholt	Bonner	Conyers
Akin	Bono	Cooper
Baca	Boucher	Cox
Baker	Boyd	Cramer
Ballance	Brady (PA)	Crane
Ballenger	Brown (SC)	Crenshaw
Barton (TX)	Brown, Corrine	Crowley
Bass	Buyer	Cubin
Bereuter	Calvert	Culberson
Berman	Camp	Cummings
Biggett	Cannon	Cunningham
Billirakis	Cantor	Davis (FL)
Bishop (GA)	Capuano	Davis (IL)
Blumenauer	Cardin	Davis, Tom
Blunt	Castle	Delahunt
Boehler	Clay	DeLauro

DeLay	Knollenberg
Diaz-Balart, L.	Kolbe
Diaz-Balart, M.	Lantos
Dicks	Larson (CT)
Dingell	Latham
Doggett	LaTourette
Doolittle	Leach
Doyle	Lee
Dreier	Levin
Dunn	Lewis (CA)
Ehlers	Lewis (GA)
Emerson	Linder
Eshoo	Lipinski
Everett	Lowey
Fattah	Lucas (OK)
Feeney	Lynch
Ferguson	Majette
Filner	Manzullo
Frank (MA)	Markey
Frelinghuysen	Matsui
Frost	McCarthy (MO)
Galleghy	McCollum
Garrett (NJ)	McCotter
Gilchrest	McCrery
Gillmor	McDermott
Gonzalez	McHugh
Goodlatte	McInnis
Goss	McKeon
Granger	McNulty
Green (TX)	Meehan
Greenwood	Meek (FL)
Gutierrez	Meeks (NY)
Gutknecht	Menendez
Harman	Millender-McDonald
Hastings (FL)	Miller (MI)
Hastings (WA)	Miller, Gary
Hefley	Miller, George
Herger	Mollohan
Hinchey	Moran (VA)
Hinojosa	Murtha
Hobson	Myrick
Hoefel	Nadler
Hoekstra	Neal (MA)
Honda	Nethercutt
Hoyer	Ney
Hunter	Nunes
Issa	Nussle
Istook	Oberstar
Jackson (IL)	Olver
Jackson-Lee (TX)	Ortiz
Jefferson	Osborne
Johnson, E. B.	Ose
Johnson, Sam	Otter
Jones (OH)	Owens
Kanjorski	Oxley
Kennedy (RI)	Pallone
Kilpatrick	Pascrell
King (IA)	Pastor
King (NY)	Pelosi
Kingston	Pence
Kirk	Peterson (MN)
Kline	Pombo

NAYS—173

Alexander	Coble
Allen	Collins
Bachus	Costello
Baird	Davis (AL)
Baldwin	Davis (CA)
Barrett (SC)	Davis (TN)
Bartlett (MD)	Davis, Jo Ann
Beauprez	Deal (GA)
Becerra	DeFazio
Bell	Deusch
Berkley	Duncan
Berry	Edwards
Bishop (NY)	Emanuel
Bishop (UT)	English
Blackburn	Etheridge
Boozman	Evans
Boswell	Farr
Bradley (NH)	Flake
Brady (TX)	Fletcher
Brown (OH)	Foley
Brown-Waite	Forbes
Ginny	Ford
Burgess	Fossella
Burns	Franks (AZ)
Burr	Gelbach
Capito	Gibbons
Capps	Gingrey
Cardoza	Goode
Carson (IN)	Gordon
Carson (OK)	Green (WI)
Carter	Grijalva
Case	Hall
Chabot	Harris
Chocola	Hart

Portman	Matheson
Pryce (OH)	McCarthy (NY)
Putnam	McGovern
Quinn	McIntyre
Radanovich	Mica
Rahall	Michaud
Rehberg	Miller (FL)
Reyes	Miller (NC)
Reynolds	Moore
Rogers (KY)	Moran (KS)
Rohrabacher	Murphy
Ros-Lehtinen	Musgrave
Rothman	Napolitano
Ruppersberger	Neugebauer
Rush	Northup
Sabo	Norwood
Sanchez, Linda	Obey
T.	Paul
Saxton	Pearce
Schakowsky	Peterson (PA)
Schrock	Petri
Scott (VA)	Pitts
Serrano	Platts
Shadegg	Pomeroy
Shaw	
Sherman	
Simpson	
Skelton	
Smith (MI)	
Smith (NJ)	
Smith (TX)	
Solis	
Souder	
Stark	
Sweeney	
Tancredo	
Tauscher	
Tauzin	
Thomas	
Thompson (MS)	
Thornberry	
Tiberi	
Towns	
Turner (OH)	
Upton	
Van Hollen	
Ney	
Velazquez	
Visclosky	
Walsh	
Wamp	
Waters	
Watson	
Watt	
Weiner	
Weldon (PA)	
Weller	
Wexler	
Wicker	
Wilson (NM)	
Wilson (SC)	
Wolf	
Wynn	
Young (FL)	

Porter	Smith (WA)
Price (NC)	Snyder
Ramstad	Spratt
Renzi	Stearns
Rogers (AL)	Stenholm
Rogers (MI)	Strickland
Ross	Stupak
Royce	Sullivan
Ryan (OH)	Tanner
Ryan (WI)	Taylor (MS)
Ryun (KS)	Taylor (NC)
Sanchez, Loretta	Terry
Sanders	Thompson (CA)
Sandlin	Tiahrt
Schiff	Tierney
Scott (GA)	Toomey
Sensenbrenner	Turner (TX)
Sessions	Udall (CO)
Shays	Udall (NM)
Sherwood	Vitter
Shimkus	Walden (OR)
Shuster	Weldon (FL)
Simmons	Whitfield
Slaughter	Wu

NOT VOTING—21

Andrews	Graves	Rangel
Burton (IN)	Hyde	Regula
DeGette	Janklow	Rodriguez
DeMint	John	Roybal-Allard
Dooley (CA)	Kucinich	Waxman
Engel	Payne	Woolsey
Gephardt	Pickering	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). The Clerk advises that the wall display for the electronic voting system is not displaying lights in one column. The Chair would ask Members in the fourth column of names to verify their votes at a voting station before the Chair announces the results of the vote.

Once again, the wall display for the electronic voting system is not displaying lights in one column. The Chair would ask Members in the fourth column of names to verify their votes at a voting station before the Chair announces the results of the vote.

□ 1132

Messrs. ROGERS of Michigan, DEAL of Georgia, BISHOP of Utah, NORWOOD, LAHOOD, FRANKS of Arizona, KELLER, GERLACH, BURNS, DUNCAN, PORTER, ENGLISH, FLAKE, NEUGEBAUER, PLATTS, HOLT, MURPHY, CHABOT, DEUTSCH, ROYCE, FORD, SPRATT, SHAYS, TIAHRT, STEARNS, PEARCE, KLECZKA, HOSTETTLER, MILLER of North Carolina, FOLEY, MICA, HAYES, TERRY, SHUSTER, GIBBONS, COBLE, LEWIS of Kentucky, PETERSON of Pennsylvania, RENZI, WELDON of Florida, BURR, Mrs. JOHNSON of Connecticut, Ms. HARRIS, Ms. KAPTUR and Ms. SLAUGHTER changed their vote from "yea" to "nay."

Messrs. SHERMAN, BALLANCE, DICKS, BILIRAKIS, MEEHAN, MATSUI, JEFFERSON, BERMAN, DAVIS of Illinois, OWENS, BOYD, PASTOR, BOUCHER, Mrs. LOWEY, Mrs. BONO, Ms. MAJETTE and Ms. MCCARTHY of Missouri changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. EMERSON. Mr. Speaker, earlier today I inadvertently voted "yea" on rollcall vote 463,

ordering the previous question for H. Res. 351, Providing for Consideration of H.R. 2989, Departments of Transportation and Treasury Appropriations Act of 2004.

I ask that, even though the record cannot reflect this statement, you consider me opposed to the automatic pay increases that may result from passage of this provision, by a vote of 240–173, this morning.

In the 106th and 107th Congresses, I was one of a handful of Representatives to co-sponsor legislation to eliminate these automatic pay adjustments for Members of Congress. My voting record over the past seven years reflects my strong opposition to automatic cost-of-living adjustments for Members of Congress.

A “nay” vote would have best reflected my opposition to automatic pay adjustments. I apologize for the way in which this inadvertent vote may have misled you to believe I am in favor of such an automatic pay increase.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 178, not voting 21, as follows:

[Roll No. 464]

AYES—235

Aderholt	Crane	Hayes
Akin	Crenshaw	Hayworth
Bachus	Cubin	Hefley
Baker	Culberson	Hensarling
Ballance	Cummings	Herger
Ballenger	Cunningham	Hobson
Barrett (SC)	Davis, Jo Ann	Hoekstra
Bartlett (MD)	Davis, Tom	Hostettler
Barton (TX)	Deal (GA)	Houghton
Bass	DeLay	Hulshof
Beauprez	Diaz-Balart, L.	Hunter
Bereuter	Diaz-Balart, M.	Isakson
Biggert	Dicks	Issa
Bilirakis	Dingell	Istook
Bishop (GA)	Doolittle	Jenkins
Bishop (UT)	Doyle	Johnson (CT)
Blackburn	Dreier	Johnson, Sam
Blunt	Duncan	Kanjorski
Boehlert	Dunn	Keller
Boehner	Ehlers	Kelly
Bonilla	Emerson	Kennedy (MN)
Bonner	English	King (IA)
Bono	Everett	King (NY)
Boozman	Feeney	Kingston
Bradley (NH)	Ferguson	Kirk
Brady (PA)	Flake	Kline
Brady (TX)	Fletcher	Knollenberg
Brown (SC)	Foley	Kolbe
Brown-Waite,	Forbes	LaHood
Ginny	Fossella	Latham
Burgess	Franks (AZ)	LaTourette
Burns	Frelinghuysen	Leach
Burr	Gallegly	Lewis (CA)
Buyer	Garrett (NJ)	Lewis (KY)
Calvert	Gerlach	Linder
Camp	Gibbons	Lucas (OK)
Cannon	Gilchrest	Lynch
Cantor	Gillmor	Manzullo
Capito	Gingrey	McCotter
Carter	Goodlatte	McCrery
Castle	Goss	McHugh
Chocola	Granger	McInnis
Clay	Green (TX)	McKeon
Coble	Green (WI)	Mica
Cole	Greenwood	Miller (FL)
Collins	Gutknecht	Miller (MI)
Conyers	Harris	Miller, Gary
Cooper	Hart	Mollohan
Cox	Hastings (WA)	Moran (KS)

Moran (VA)	Quinn	Souder
Murphy	Radanovich	Sullivan
Murtha	Rahall	Sweeney
Musgrave	Rehberg	Tancredo
Myrland	Renzi	Tauzin
Nethercutt	Reyes	Taylor (NC)
Neugebauer	Reynolds	Terry
Ney	Rogers (AL)	Thomas
Northup	Rogers (KY)	Thornberry
Norwood	Rogers (MI)	Tiahrt
Nunes	Rohrabacher	Tiberi
Nussle	Ros-Lehtinen	Toomey
Obey	Royce	Turner (OH)
Ortiz	Ryan (WI)	Upton
Osborne	Ryun (KS)	Visclosky
Ose	Saxton	Vitter
Otter	Schrock	Walden (OR)
Oxley	Sensenbrenner	Walsh
Pearce	Sessions	Watson
Pence	Shadegg	Weldon (FL)
Peterson (MN)	Shaw	Weldon (PA)
Peterson (PA)	Shays	Weller
Petri	Sherwood	Whitfield
Pitts	Shimkus	Wicker
Platts	Shuster	Wilson (NM)
Pombo	Simmons	Wilson (SC)
Porter	Simpson	Wolf
Portman	Smith (MI)	Wynn
Pryce (OH)	Smith (NJ)	Young (FL)
Putnam	Smith (TX)	

NOES—178

Abercrombie	Hinchey	Napolitano
Ackerman	Hinojosa	Neal (MA)
Alexander	Hoefel	Oberstar
Allen	Holden	Olver
Baca	Holt	Owens
Baird	Honda	Pallone
Baldwin	Hooley (OR)	Pascarell
Becerra	Hoyer	Pastor
Bell	Inslee	Paul
Berkley	Israel	Pelosi
Berman	Jackson (IL)	Pomeroy
Berry	Jackson-Lee	Price (NC)
Bishop (NY)	(TX)	Ramstad
Blumenauer	Jefferson	Ross
Boswell	Johnson (IL)	Rothman
Boucher	Johnson, E. B.	Ruppersberger
Boyd	Jones (NC)	Rush
Brown (OH)	Jones (OH)	Ryan (OH)
Brown, Corrine	Kaptur	Sabo
Capps	Kennedy (RI)	Sanchez, Linda
Capuano	Kildee	T.
Cardin	Kilpatrick	Sanchez, Loretta
Cardoza	Kind	Sanders
Carson (IN)	Kleccka	Sandlin
Carson (OK)	Lampson	Schakowsky
Case	Langevin	Schiff
Chabot	Lantos	Scott (GA)
Clyburn	Larsen (WA)	Scott (VA)
Costello	Larson (CT)	Serrano
Cramer	Lee	Sherman
Crowley	Levin	Skelton
Davis (AL)	Lewis (GA)	Slaughter
Davis (CA)	Lipinski	Smith (WA)
Davis (FL)	LoBiondo	Snyder
Davis (IL)	Lofgren	Solis
Davis (TN)	Lowe	Spratt
DeFazio	Lucas (KY)	Stark
Delahunt	Maloney	Stearns
DeLauro	Markey	Stenholm
Deutsch	Marshall	Strickland
Doggett	Matheson	Stupak
Edwards	Matsui	Tanner
Emanuel	McCarthy (MO)	Tauscher
Eshoo	McCarthy (NY)	Taylor (MS)
Etheridge	McCollum	Thompson (CA)
Evans	McDermott	Thompson (MS)
Farr	McGovern	Tierney
Fattah	McIntyre	Towns
Filner	McNulty	Turner (TX)
Ford	Meehan	Turner (CO)
Frank (MA)	Meek (FL)	Udall (NM)
Frost	Meeks (NY)	Udall (NM)
Gonzalez	Menendez	Van Hollen
Goode	Michaud	Velazquez
Gordon	Millender-	Wamp
Grijalva	McDonald	Waters
Gutierrez	Miller (NC)	Watt
Hall	Miller, George	Weiner
Harman	Moore	Wexler
Hastings (FL)	Nadler	Wu
Hill		

NOT VOTING—21

Andrews	Dooley (CA)	Hyde
Burton (IN)	Engel	Janklow
DeGette	Gephardt	John
DeMint	Graves	Kucinich

Payne	Regula	Waxman
Pickering	Rodriguez	Woolsey
Rangel	Roybal-Allard	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair would once again remind Members in the fourth column to check their votes on the voting machine. The voting machine is working correctly, but the display is not displaying those names. Members should independently verify their votes on a voting station.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1143

Mr. WAMP changed his vote from “aye” to “no.”

Mr. OBEY changed his vote from “no” to “aye.”

So the resolution was agreed to. The result of the vote was announced as above recorded.

Mr. OBEY. Mr. Speaker, I move to reconsider the last vote.

MOTION TO TABLE OFFERED BY MR. REYNOLDS

Mr. REYNOLDS. Mr. Speaker, I move to lay on the table the motion to reconsider.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. REYNOLDS) to table the motion to reconsider offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 180, not voting 49, as follows:

[Roll No. 465]

AYES—205

Aderholt	Capito	Franks (AZ)
Akin	Castle	Frelinghuysen
Bachus	Chabot	Gallegly
Baker	Chocola	Garrett (NJ)
Barrett (SC)	Cole	Gerlach
Bartlett (MD)	Collins	Gibbons
Barton (TX)	Cox	Gilchrest
Bass	Crane	Gillmor
Beauprez	Crenshaw	Gingrey
Biggert	Cubin	Goode
Bilirakis	Culberson	Goodlatte
Bishop (UT)	Cunningham	Goss
Blackburn	Davis, Jo Ann	Granger
Blunt	Davis, Tom	Green (WI)
Boehlert	DeLay	Gutknecht
Bonilla	Diaz-Balart, L.	Harris
Bonner	Diaz-Balart, M.	Hart
Bono	Doolittle	Hastings (WA)
Boozman	Dreier	Hayes
Bradley (NH)	Duncan	Hayworth
Brady (TX)	Dunn	Hefley
Brown (SC)	Ehlers	Hensarling
Brown-Waite,	English	Herger
Ginny	Everett	Hobson
Burgess	Feeney	Hoekstra
Burns	Ferguson	Hostettler
Burr	Flake	Hulshof
Buyer	Fletcher	Hunter
Calvert	Foley	Isakson
Cannon	Forbes	Issa
Cantor	Fossella	Istook

Jenkins	Nunes	Shays
Jones (NC)	Nussle	Sherwood
Keller	Osborne	Shimkus
Kelly	Ose	Shuster
Kennedy (MN)	Otter	Simmons
King (IA)	Oxley	Simpson
King (NY)	Paul	Smith (MI)
Kingston	Pearce	Smith (NJ)
Kirk	Pence	Smith (TX)
Kline	Peterson (MN)	Stearns
Knollenberg	Peterson (PA)	Sullivan
Kolbe	Petri	Sweeney
LaHood	Pitts	Tancred
Latham	Platts	Tauzin
Leach	Porter	Taylor (NC)
Lewis (CA)	Portman	Terry
Lewis (KY)	Pryce (OH)	Thomas
Linder	Putnam	Thornberry
LoBiondo	Quinn	Tiahrt
Lucas (OK)	Radanovich	Tiberi
Lynch	Rahall	Toomey
Manzullo	Ramstad	Turner (OH)
McCotter	Rehberg	Udall (CO)
McCrery	Renzi	Upton
McHugh	Reynolds	Vitter
McInnis	Rogers (AL)	Walden (OR)
McKeon	Rogers (KY)	Walsh
Mica	Rogers (MI)	Wamp
Miller (FL)	Rohrabacher	Weldon (FL)
Miller (MI)	Ros-Lehtinen	Weldon (PA)
Miller, Gary	Royce	Weller
Moran (KS)	Ryan (WI)	Whitfield
Murphy	Saxton	Wicker
Musgrave	Schrock	Wilson (NM)
Nethercutt	Sensenbrenner	Wilson (SC)
Neugebauer	Sessions	Wolf
Ney	Shadegg	Young (FL)
Northup	Shaw	

NOES—180

Abercrombie	Gonzalez	Michaud
Ackerman	Holden	Millender-
Alexander	Green (TX)	McDonald
Allen	Grijalva	Miller (NC)
Baca	Gutierrez	Mollohan
Baird	Hall	Moore
Baldwin	Harman	Moran (VA)
Ballance	Hastings (FL)	Murtha
Becerra	Hill	Napolitano
Bell	Hinojosa	Neal (MA)
Berkley	Hoefel	Oberstar
Berry	Holden	Obey
Bishop (GA)	Holt	Olver
Bishop (NY)	Honda	Ortiz
Blumenauer	Hooley (OR)	Owens
Boswell	Hoyer	Pallone
Boucher	Inslee	Pastor
Boyd	Israel	Pelosi
Brady (PA)	Jackson (IL)	Pomeroy
Brown (OH)	Jackson-Lee	Price (NC)
Brown, Corrine	(TX)	Reyes
Capps	Jefferson	Ross
Capuano	Johnson (IL)	Rothman
Cardin	Johnson, E. B.	Ruppersberger
Cardoza	Kanjorski	Rush
Carson (IN)	Kaptur	Ryan (OH)
Carson (OK)	Kennedy (RI)	Sabo
Case	Kildee	Sanchez, Linda
Clay	Kilpatrick	T.
Clyburn	Kind	Sanchez, Loretta
Coble	Kleczka	Sanders
Conyers	Lampson	Sandlin
Cooper	Langevin	Schakowsky
Costello	Lantos	Schiff
Cramer	Larsen (WA)	Scott (GA)
Crowley	Larson (CT)	Scott (VA)
Cummings	Lee	Serrano
Davis (AL)	Levin	Sherman
Davis (CA)	Lewis (GA)	Skelton
Davis (FL)	Lipinski	Slaughter
Davis (IL)	Lofgren	Smith (WA)
Davis (TN)	Lowey	Snyder
DeFazio	Lucas (KY)	Solis
DeLauro	Majette	Spratt
Deutsch	Maloney	Stenholm
Dicks	Markey	Strickland
Dingell	Marshall	Stupak
Doggett	Matheson	Tanner
Doyle	Matsui	Tauscher
Edwards	McCarthy (MO)	Taylor (MS)
Emanuel	McCollum	Thompson (CA)
Eshoo	McDermott	Thompson (MS)
Etheridge	McGovern	Tierney
Evans	McIntyre	Towns
Farr	McNulty	Turner (TX)
Filner	Meehan	Udall (NM)
Ford	Meek (FL)	Velazquez
Frank (MA)	Meeks (NY)	Vislosky
Frost	Menendez	Waters

Watson	Weiner	Wu
Watt	Wexler	Wynn

NOT VOTING—49

Andrews	Graves	Pascrell
Ballenger	Greenwood	Payne
Bereuter	Hinchev	Pickering
Berman	Houghton	Pombo
Boehner	Hyde	Rangel
Burton (IN)	Johnklow	Regula
Camp	John	Rodriguez
Carter	Johnson (CT)	Roybal-Allard
Deal (GA)	Johnson, Sam	Ryun (KS)
DeGette	Jones (OH)	Souder
Delahunt	Kucinich	Stark
DeMint	LaTourette	Van Hollen
Dooley (CA)	McCarthy (NY)	Waxman
Emerson	Miller, George	Woolsey
Engel	Myrick	Young (AK)
Fattah	Nadler	
Gephardt	Norwood	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1201

Messrs. COBLE, DICKS, FRANK of Massachusetts, RUSH, SPRATT, Ms. WATERS, and Mr. WYNN changed their vote from “aye” to “no.”

Messrs. LEWIS of California, SAXTON, TANCREDO, THOMAS, and WALDEN of Oregon changed their vote from “no” to “aye.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

Stated for:

Mr. BEREUTER. Mr. Speaker, on September 4, 2003, this Member unavoidably missed rollcall vote No. 465. Because this was a 5-minute vote, in contrast to the normal practice of 15 minutes employed on the floor when votes are not predicted, this Member returned to Committee and was unaware that the normal practice was not pursued. Several other Members were in the same position. Had this Member been present, this Member would have voted “aye” on this procedural vote to table the motion to reconsider the previous vote.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to House Resolution 351 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2989.

The Chair designates the gentleman from California (Mr. DREIER) as Chairman of the Committee of the Whole, and requests the gentleman from Virginia (Mr. GOODLATTE) to assume the chair temporarily.

□ 1202

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2989) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes, with Mr. GOODLATTE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to present the Departments of Transportation, Treasury, and independent agencies appropriations bill for fiscal year 2004. Because of the reorganization of the Committee on Appropriations, this is an entirely new arrangement for the form in which these agencies are presented to the House. In this bill, many of the historical programs that were part of the Transportation Department and the Treasury Department were merged with the new Department of Homeland Security, and then the remaining programs have now been combined in this legislative package with the appropriations for agencies such as the General Services Administration, the Office of Personnel Management, the White House, the Executive Office of the President, the Office of Management and Budget and other critical agencies which are, at times, dissimilar in their functions, however.

As a result, in putting together this bill we have made budget trade-offs that previously were not made by this particular subcommittee. We have merged Members of Congress and committee staff from two former subcommittees, and accomplishing the production of a \$90 billion bill only a few months into that task has been a Herculean task. Fortunately, we have been blessed with good people, good Members, such as the ranking member, the gentleman from Massachusetts (Mr. OLVER), Mr. ETHERIDGE and other staff that I will recognize later for their role in this bill.

But I believe we have produced a good product for the House. We have had a lot of learning, many hearings, and the members of the subcommittee have shown enormous dedication to produce this bill. I believe this is a very good and solid bill. In most respects, it matches the budget request and the priorities of the President, and makes some significant improvements along the way.

In particular, I am pleased that by exercising great discipline in a number of areas, we are able to do more than the President anticipated for investing in the Nation's highways. The budget, unfortunately, due to downward movement in the Highway Trust Fund revenue, proposed an 8 percent reduction in funding for Federal aid to highways. Thanks to the discipline we have exercised in other areas, this bill instead provides a 7 percent increase. So it is \$4.5 billion more than the President's request expected we would be able to